

Senate File 2321

S-5131

1 Amend Senate File 2321 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.210, subsection 2, Code
5 2009, is amended by adding the following new paragraph:

6 NEW PARAGRAPH. e. Violations of section 321.276.

7 Sec. 2. NEW SECTION. 321.276 Intentional
8 distracted driving.

9 1. A person operating a motor vehicle shall not
10 intentionally engage in an activity that distracts the
11 person from the safe operation of the motor vehicle.

12 2. This section does not apply to a member of a
13 public safety agency, as defined in section 34.1,
14 engaged in the performance of the member's official
15 duties.

16 3. a. A person convicted of a violation of this
17 section is guilty of a simple misdemeanor punishable as
18 a scheduled violation under section 805.8A, subsection
19 14, paragraph "k".

20 b. A violation of this section shall not be
21 considered a moving violation for purposes of this
22 chapter or rules adopted pursuant to this chapter.

23 4. For the period beginning July 1, 2010, through
24 June 30, 2011, peace officers shall issue only
25 warning citations for violations of this section. The
26 department, in cooperation with the department of
27 public safety, shall establish educational programs
28 to foster compliance with the requirements of this
29 section.

30 Sec. 3. Section 321.482A, unnumbered paragraph 1,
31 Code 2009, is amended to read as follows:

32 Notwithstanding section 321.482, a person who
33 is convicted of operating a motor vehicle in
34 violation of section 321.275, subsection 4, section
35 321.276, 321.297, 321.298, 321.299, 321.302, 321.303,
36 321.304, 321.305, 321.306, 321.307, 321.308, section
37 321.309, subsection 2, or section 321.311, 321.319,
38 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
39 321.324A, 321.327, 321.329, or 321.333 causing serious
40 injury to or the death of another person may be subject
41 to the following penalties in addition to the penalty
42 provided for a scheduled violation in section 805.8A or
43 any other penalty provided by law:

44 Sec. 4. Section 321.555, subsection 2, Code 2009,
45 is amended to read as follows:

46 2. Six or more of any separate and distinct
47 offenses within a two-year period in the operation of a
48 motor vehicle, which are required to be reported to the
49 department by section 321.491 or chapter 321C, except
50 equipment violations, parking violations as defined

1 in section 321.210, violations of registration laws,
2 violations of sections 321.445 and 321.446, violations
3 of section 321.276, operating a vehicle with an expired
4 license or permit, failure to appear, weights and
5 measures violations and speeding violations of less
6 than fifteen miles per hour over the legal speed limit.

7 Sec. 5. Section 805.8A, subsection 14, Code
8 Supplement 2009, is amended by adding the following new
9 paragraph:

10 NEW PARAGRAPH. *k. Distracted driving violations.*
11 For violations under section 321.276, the scheduled
12 fine is thirty dollars.>

13 2. Title page, by striking lines 1 through 3 and
14 inserting <An Act relating to driving while distracted
15 and providing penalties.>

16 3. By renumbering as necessary.

BRAD ZAUN